

REMARKS

The Final Office Action dated May 13, 2008 has been received and carefully noted. The following remarks are submitted as a full and complete response thereto.

Claims 1-3, 5-11, and 13-26 are currently pending for consideration, of which claims 1, 13, 17, and 18 are independent. . It is believed that all grounds for rejection in the Office Action have been addressed and that the present application is currently in condition for allowance in view of the following explanations. Reconsideration and allowance of claims 1-3, 5-11, and 13-26 are respectfully requested.

Claim Rejections under 35 U.S.C. §102(e)

The Office Action rejected claims 1-3, 5, 11, 13, 14, 16-21, and 26 under 35 U.S.C. §102(e) as allegedly anticipated by U.S. Patent No. 6,785,704 (McCanne). The Office alleged that McCanne discloses or suggests every claim feature recited in claims 1-3, 5, 11, 13, 14, 16-21, and 26. However, as described in greater detail below, McCanne fails to disclose each and every limitation of any of the pending claims, as required for a proper rejection under 35 USC §102(e). Therefore, Applicants hereby traverse this rejection, and reconsideration and allowance of claims 1-3, 5, 11, 13, 14, 16-21, and 26 are respectfully requested in view of the following remarks.

Claim 1, from which claims 2-3 and 5-11 depend, recites an apparatus that includes an access controller connected to an access network and a domain, wherein the

access network is configured to attach to user equipment. This access controller is configured to control resolving of domain name information for both server addresses within this domain or accessible via this domain, and server addresses that are not within this domain or accessible via this domain. Also, this access controller is configured to receive from this user equipment a query identifying a domain name, and in response to a determination that this user equipment is authorized and there is specified for this domain name a server address within this domain or accessible via this domain, domain name information for this domain name within this domain is resolved. In response to a determination that the user equipment is not authorized and/or that there is no specified server address for this domain name within this domain or accessible via this domain, the domain name information for this domain name outside this domain is resolved.

Independent claim 13, from which claims 14-16 depend, relates to a system that includes user equipment and an access network to which this user equipment is configured to attach. The system also includes an access controller configured to connect to this access network, and a domain to which this access controller is connected. In particular, the access controller is configured to control resolving of domain name information for both server addresses within this domain or accessible via this domain, and server addresses that are not within this domain or accessible via this domain. Also, this access controller is configured to receive from this user equipment a query identifying a domain name. In response to a determination that this user equipment is authorized and there is specified for this domain name a server address within this

domain or accessible via this domain, this access controller resolves domain name information for this domain name within this domain. Similarly, in response to a determination that this user equipment is not authorized and/or that there is no specified server address for this domain name within this domain or accessible via this domain, this access controller resolves the domain name information for this domain name outside this domain.

Independent claim 17, from which claims 19-26 depend, relates to a method that includes receiving, at an access controller connected to a domain and an access network from user equipment attached to this access network, a query identifying a domain name. In response to a determination that this user equipment is authorized and there is specified for this domain name a server address within this domain or accessible via this domain, domain name information is resolved for this domain name within this domain. Similarly, in response to a determination that this user equipment is not authorized and/or that there is no specified server address for this domain name within this domain or accessible via this domain, the domain name information is resolved for this domain name outside this domain.

Independent claim 18 relates to an apparatus that includes a receiving means for receiving at an access controller connected to an access network and a domain from user equipment attached to this access network a query identifying a domain name. The apparatus further includes a controlling means for, in response to a determination that this user equipment is authorized and there is specified for this domain name a server address

within this domain or accessible via this domain, resolving domain name information for this domain name within this domain. The controlling means further, in response to a determination that this user equipment is not authorized and/or that there is no specified server address for this domain name within this domain or accessible via this domain, is for resolving domain name information for this domain name outside this domain.

Applicants have carefully reviewed McCanne and respectfully submit that each of the above-noted independent claims recites subject matter that is not taught or disclosed by McCanne.

Applicants note that McCanne generally describes a technique for improving the efficiency of content distribution by configuring a DNS server such that it can map a name of a name-to-address translation request to a selected one of a plurality of addresses from which the desired content is available, wherein the selection is made on the basis of one or more factors such as configured policy, server load measurements and network path measurements.

As described below, Applicant note that McCanne contains no disclosure in the sections cited in the Office Action that are relevant to the recited embodiments of the described in the present application related to resolving via a mobile operator access controller a DNS query from a UE attached to a third party access network, such as a wireless Internet service provider, even (i) when the UE is not authorized by the mobile operator or (ii) when there is no server address for the queried domain name, such as

when the domain name that is the subject of the DNS query, within the mobile operator domain.

For example, the Office Action cited to McCanne at col. 31, lines 10 to 23 as allegedly disclosing the recitation of resolving the domain name information for a domain name outside the (e.g. mobile operator) domain in the event that the UE is not authorized or there is no specified server address for the queried domain name within the (e.g. mobile operator) domain. Applicants respectfully urge that, at best, the technical interpretation of this citation in Office Action appears to be technically and factually inaccurate because this section of McCanne does not disclose resolving a domain name within or outside a domain according to whether the client is authorized or not. For example, Applicants note that this section of McCanne contains no disclosure related to indicating that the IP address that the APAR-DNS server returns if the client is not authorized is outside the domain that includes the IP address and port number that the APAR-DNS server returns in the event that the client is authorized, as recited in each of the independent claims.

This section of McCanne teaches only returning the same IP address (i.e., resolving the queried domain name within the same domain) regardless of whether the client is authorized or not, by specifying a different port number according to whether or not the client is authorized.

Referring to claim 1, Applicants respectfully urge that McCanne does not disclose the access controller provided in embodiments of the present application. As described

below, McCanne does not control resolving of domain name information for both server addresses within a network or accessible via said network and also server addresses that are not within a network or accessible via a network, as recited in claim 1. Furthermore, claim 1 recites that the access controller is configured to, in response to a determination that this user equipment is authorized and there is specified for this domain name a server address within this domain or accessible via this domain, resolve domain name information for this domain name within this domain. Conversely, in response to a determination that the user equipment is not authorized and/or that there is no specified server address for this domain name within this domain or accessible via this domain, the access controller is configured to resolve the domain name information for this domain name outside this domain.

For example, as disclosed in the present application, the access controller 16 described at paragraphs [0032] to [0047] is configured to resolve domain name, whether or not the user equipment is authorized, and consequently, whether the specified server address for this domain name within this domain or, and also on the written information provided. See also, the access controller AC (16) in FIGS. 2b, 3a and 4a and the associated text.

For these and other reasons, McCanne does not disclose each and every of claim 1. Hence, this rejection under 35 U.S.C. §102(e) is legally and factually improper, and claim 1 is consequently allowable over McCanne. Claims 3, 5, 11 are similarly allowable for at least the reason of depending from allowable claim 1. Also, independent claims 13, 17,

and 18, although separately rejected and different in scope, contain similar recitation related to an access controller that is configured to resolve domain names whether or not the user device is authorized are, thus, similarly allowable of McCanne. Claims 14, 16, 19-21, and 26 is likewise allowable for at least the reason of depending from an allowable independent claim. Reconsideration and allowance of claims 1-3, 5, 11, 13, 14, 16-21, and 26 are therefore respectfully requested.

Claim Rejections under 35 U.S.C. §103(a)

The Office Action rejected claims 6, 7, 22, and 23 under 35 U.S.C. §103(a) as being allegedly unpatentable as obvious over McCanne in view of PCT Published Patent Application No. WO 2000/64104 (Roos). According to the Office Action, McCanne discloses all elements of the claims except for an authorizing server function. To address this deficiency in McCanne, the Office Action cites to Roos. However, as described in greater detail below, the combination of McCanne and Roos fails to disclose each and every limitation of these claims as required for a proper rejection under 35 USC §103(a). Therefore, reconsideration and allowance of these claims are respectfully requested in view of the following remarks.

Applicants have carefully reviewed Roos and respectfully submit that Roos does not cure the above described deficiencies in McCanne.

Referring to claim 1, Roos does not disclose or suggest an access controller provided in embodiments of the present application. For example, as described below,

Roos does not disclose controlling the resolving of domain name information for both server addresses within a network or accessible via said network and also server addresses that are not within a network or accessible via a network, as recited in claim 1.

Instead, Roos relates to establishing a data connection with a mobile terminal in a digital mobile network, at which the mobile network is in connection with data processing resources in a local network. The establishing of the data connection includes allocation of a local network address to the mobile terminal, allocation of a unique network address to the mobile terminal, determination of a relation between the local network address and the unique network address, reception of a request for a data connection to the unique network address, establishing of a data connection to the unique network address, at which the set up is made depending on the relation between the local and the unique network address. Nevertheless, Roos cannot be interpreted as disclosing the controlling of a resolution of domain name information for both server addresses within a network or accessible via said network and also server addresses that are not within a network or accessible via a network, as recited in claim 1.

For these and other reasons, the combination of McCanne and Roos does not disclose each and every limitation of the independent claims, such as claim 1. Thus, claims 6, 7, 22, and 23 are allowable over McCanne and Roos for at least the reason of depending from allowable claims 1 or 17, and this rejection under 35 U.S.C. §103(a) is legally and factually improper. Reconsideration and allowance of claims 6, 7, 22, and 23 are thus respectfully requested.

The Office Action further rejected claims 8-10, 15, 24, and 25 under 35 U.S.C. §103(a) as being allegedly unpatentable as obvious over McCanne in view of PCT Published Patent Application No. WO 2002/47415 (Westman). According to the Office Action, McCanne discloses all elements of the base independent claims, and Westman discloses the limitations of the dependent claims. However, as described in greater detail below, the combination of McCanne and Westman fails to disclose each and every limitation of these claims as required for a proper rejection under 35 USC §103(a). Therefore, reconsideration and allowance of these claims are respectfully requested in view of the following remarks.

As noted in Applicants' prior submission, Applicants are familiar with Westman, since it is co-assigned to the same assignee of the present application. Applicants have carefully reviewed Westman and respectfully submit that each of Westman does not cure the above described deficiencies in McCanne.

Referring to claim 1, Westman does not disclose or suggest an access controller provided in embodiments of the present application. As described below, Westman does not disclose controlling the resolving of domain name information for both server addresses within a network or accessible via said network and also server addresses that are not within a network or accessible via a network, as recited in claim 1.

Instead, Westman relates to communications in which user equipment contains, or is provided with, a list of items of service-related information. The list of service-related information represents a list of service provider names, services and/or service types.

When intending to establish or modify a session or connection or use a service, the user equipment selects, in one of the embodiments, an item from the list and performs a DNS query to resolve the name of the selected item to an IP address which then is used for set-up. The list may be provided by a DHCP server or in a PDP context message. The list may include one or more service provider default names, in particular for visited and home networks. Nevertheless, in no way does Westman disclose controlling a resolution of domain name information for both server addresses within a network or accessible via said network and also server addresses that are not within a network or accessible via a network, as recited in claim 1.

For these and other reasons, the combination of McCanne and Westman does not disclose each and every limitation of the independent claims, such as claim 1. Claims 8-10, 15, 24, and 25 are similarly allowable over McCanne and Westman for at least the reason of depending from an allowable independent claims, and this rejection under 35 U.S.C. §103(a) is legally and factually improper. Reconsideration and allowance of claims 8-10, 15, 24, and 25 are thus respectfully requested.

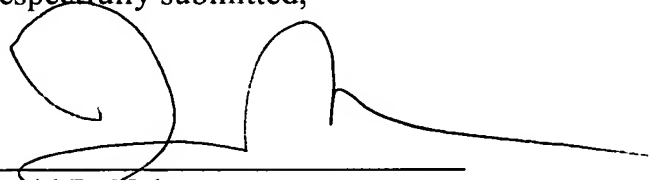
Conclusion

Applicants respectfully submit that each of claims 1-3, 5-11, and 13-26 recites features that are neither disclosed nor suggested in any of the cited references. Accordingly, it is respectfully requested that each of these claims be allowed, and this application be passed to issue.

If for any reason the Examiner determines that the application is not now in condition for allowance, it is respectfully requested that the Examiner contact, by telephone, the applicant's undersigned representative at the indicated telephone number to arrange for an interview to expedite the disposition of this application.

In the event this paper is not being timely filed, the applicant respectfully petitions for an appropriate extension of time. Any fees for such an extension together with any additional fees may be charged to Counsel's Deposit Account 50-2222.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'David D. Nelson', written over a horizontal line.

David D. Nelson
Attorney for Applicant
Registration No. 47,818

Customer No. 32294
SQUIRE, SANDERS & DEMPSEY LLP
14TH Floor
8000 Towers Crescent Drive
Vienna, Virginia 22182-6212
Telephone: 703-720-7800
Fax: 703-720-7802
DDN:dlh